

PATENT
Customer No. 22,852
Attorney Docket No. 07588.0082

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------------|---|------------------------|
| In re Application of: |) | |
| |) | |
| David Dakin Iorwerth WRIGHT et al. |) | Group Art Unit: 1616 |
| |) | |
| Application No.: 10/522,527 |) | Examiner: Soroush, Ali |
| |) | |
| Filed: October 10, 2006 |) | |
| |) | |
| For: THERAPEUTIC FOAM |) | Confirmation No.: 7497 |
| |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. § 1.132

I, Janet RUSH, do hereby make the following declaration:

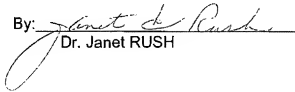
1. I am the Senior Vice President of Medical and Regulatory Affairs, US at BTG International Inc ("BTG").
2. I am making this declaration to update information presented in my previous declaration of 29 April 2008 in connection with this patent application. The information to be updated concerns the US phase II safety study referred to in that declaration. More patients have now been treated under this study, including one who has reported relevant symptoms. The study is now nearing its conclusion but it still ongoing and data are still being collected.
3. Of the 106 patients administered the new Varisolve® foam in the ongoing study and a previous study, 60 of whom had bubbles detected in the MCA, there was

only one patient reporting relevant symptoms within the first 24 hours after treatment. This patient described "twinkly lights" lasting a few seconds, a symptom of no apparent medical importance. This patient's visual field testing, neurological examination, and MRI were all normal.

4. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: June 23, 2008

By:

A handwritten signature in cursive script, appearing to read "Janet RUSH", is written over a horizontal line. Below the line, the name "Dr. Janet RUSH" is printed in a standard sans-serif font.

Dr. Janet RUSH